

**United States District Court
District of Massachusetts
Central Division**

FILED
JAN 19 2005
U.S. DISTRICT COURT
DISTRICT OF MASS.

TRIF Company)
Plaintiff)
V.) C.A. No. -04-30194-MAP
Chris Morris d/b/a International)
Housewares, Frank Stoegarar d/b/a)
Worldwide Marketing, Zia Biao Xu and)
Zhi Xiong Xu d/b/a World Link, LLC)
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MOTION OF PLAINTIFF TO CONTINUE SCHEDULING CONFERENCE

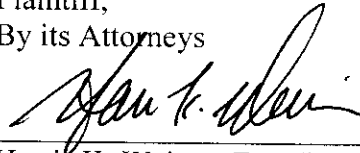
Now comes the Plaintiff TRIF Company to respectfully request a continuance of the scheduling conference currently set for January 21, 2005 at 11:30 a.m. before Magistrate Judge Neiman. None of the Defendants have answered or otherwise pled responsively. The Plaintiff intends to dismiss one of the Defendants, and is having difficulty despite due diligence¹ effectively serving a third Defendant. A continuation of the scheduling conference will allow the Plaintiff to streamline the case by settling with Defendant International Housewares, to continue settlement discussions with Defendant Worldwide Marketing and to serve Defendant, World Link, LLC at a West Coast business address that the Plaintiff recently discovered.

¹ The original complaint was served to Defendants Worldwide Marketing and World Link, LLC on September 28, 2004 by requesting a waiver of service of summons to which no response was received, and personal service has been attempted repeatedly on the last known business addresses of these defendants since that time. Defendant Chris Morris d/b/a International Housewares was personally served in Massachusetts in September 2004.

The Plaintiff notified the Defendants of this scheduling conference by letter dated December 28, 2004. Only Defendant Worldwide Marketing, located in California, has acknowledged the conference but has not expressed an intent to participate.

Wherefore, Plaintiff TRIF Company respectfully requests a sixty-day continuance of the scheduling conference in the above-referenced matter to secure participation of the proper parties to this action and render such a conference more productive for the Court and litigants.

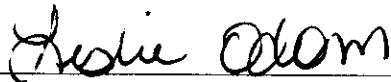
Respectfully submitted by,
Plaintiff,
By its Attorneys

A handwritten signature in black ink, appearing to read "Harris K. Weiner", is written over a horizontal line.

Harris K. Weiner, Esq. # 551981
Law Office of Jeffrey B. Pine
321 South Main Street
Suite 302
Providence, RI 02903
Phone: (401) 351-8200
Fax: (401) 351-9032

CERTIFICATION

I, the undersigned, hereby certify that on this 16 day of January 2005, I mailed a true copy of the foregoing *Motion of Plaintiff to Continue Scheduling Conference* to Chris Morris d/b/a International Housewares, 6601 Vantor Ave. Suite 305 Vantor, NJ 08406

A handwritten signature in cursive script, reading "Leslie Odom", written over a horizontal line.

Leslie A. Odom